

## **NATURAL RESOURCES COMMISSION**

### **Meeting Minutes**

**January 17, 2007**

Pursuant to the notice duly filed with the Town Clerk, the meeting of the Natural Resources Commission was held in the First Floor Meeting Room, 141 Keyes Road, Concord, MA at 7:00 p.m. on Wednesday, January 17, 2007. The following Commissioners were present: Paul Feshbach-Meriney, Chair; Alexander Easterday; and Jamie Bemis. Delia Kaye, Natural Resources Administrator, and Katie Holden, Natural Resources Assistant Administrator, were also present.

### **CONTINUED APPLICATIONS:**

#### **CROSBY – 646 Cambridge Turnpike / NOI –DEP File #137-908:**

Richard Harrington, Stamski and McNary, and property owners, John Crosby Jr. appeared. This project consists of the relocation of an existing driveway to a single family dwelling within 100 feet of bordering vegetated wetlands and the 200-foot Riverfront Area of Mill Brook. The Commission performed a site visit on January 8, 2007. Rich Harrington reviewed revised plans and a letter dated January 17, 2007. The driveway has been moved back to 42 feet from wetlands at the closest point. The letter discussed the limitations to the site for moving the driveway further away from wetlands. The grade adjacent to the proposed driveway will be lowered by over one foot to remove all invasive plants. This area will receive 6" of loam and seed and be planted with at a minimum 5 native shrubs and a native conservation seed mix. John Crosby Jr. stated they would probably not do the project if the Shield System Car Wash project was not approved.

This hearing was continued to the January 17 meeting at which time the Commission expects to close and issue an Order of Conditions with special conditions.

### **NEW APPLICATIONS:**

#### **OMNIPOINT COMMUNICATIONS – 1400 Lowell Road / RDA # 07-01:**

Andrea Guillot, Coler & Colantonio, Inc. appeared. This project consists of the construction of a cellular telecommunications facility. The work is outside of Estimated and Priority Habitat of Rare Species. Three trees are proposed to provide an aesthetic buffer to the facility. Construction is expected to take four weeks. The existing grade will be cut in order to install the concrete slabs. The Commission discussed concern of slope stabilization. One of the retaining walls will remain, and a stockade fence will be located adjacent to it. The Commission discussed the following special conditions: 1) A pre-construction site visit with the Natural Resources Administrator shall be held to review and approve the following: erosion and sedimentation controls, location of the stockade fence in relation to the remaining retaining wall, and locations of the equipment storage and stockpiling areas. 2) Prior to commencement of work, the catch basin in the vicinity of the stockpiling area shall be cleaned out, and a silt sac or approved equivalent installed. 3) After work has been completed, the silt sac shall be removed and the catch basin cleaned out again, if necessary. 4) The proposed plantings shall be reviewed and approved by the Natural Resources Administrator.

Alexander Easterday moved to issue a Negative #3 Determination with the special conditions above. Jamie Bemis seconded the motion. All so voted.

**NEW LIFE COMMUNITY CHURCH – 35 By-Pass Road / ANRAD –DEP File #137-909:**

Rich Kirby, LEC Environmental Consultants, Steven Meister, New Life Community Church, appeared. A site visit was performed by the Commission on January 11, 2007. Rich Kirby reviewed the wetland data sheets. The Commission discussed one special condition: The 25-foot No Disturb Zone shall be temporarily demarcated this winter by installing iron rebar with protective plastic caps. When the ground thaws, the 25-foot No Disturb Zone shall be permanently demarcated (one for each wetland flag) with a method reviewed and approved by the Natural Resources Administrator (such as 4 inch x 4 inch x 4 foot wooden posts).

Alexander Easterday moved to close the hearing. Jamie Bemis seconded. All so voted. Alexander Easterday moved to issue an Order of Resource Area Determination with the one special condition above. Jamie Bemis seconded. All so voted.

**JMC REAL ESTATE TRUST – 231 Nashoba Road / NOI –DEP File #137-911:**

Alexander Easterday moved to close the hearing. Jamie Bemis seconded. All so voted. Alexander Easterday moved to issue an Order of Conditions with special conditions. Jamie Bemis seconded. All so voted.

**CERTIFICATE OF COMPLIANCE REQUEST:**

**SEABURY – 1249 Monument Street – DEP File #137-840:**

Staff presented a request from Mrs. Seabury for a Certificate of Compliance for DEP File #137-840. Alexander Easterday moved to issue a Certificate of Compliance for 1249 Monument Street. Jamie Bemis seconded the motion. All so voted.

**SOUTHWELL – 350 Main Street – DEP File #137-839:**

Staff presented a request from Barbara Southwell for a Certificate of Compliance for DEP File #137-839. Alexander Easterday moved to issue a Certificate of Compliance for 350 Main Street. Jamie Bemis seconded the motion. All so voted.

**SOUTHWELL – 350 Main Street – DEP File #137-845:**

Staff presented a request from Barbara Southwell for a Certificate of Compliance for DEP File #137-845. Alexander Easterday moved to issue a Certificate of Compliance for 350 Main Street. Jamie Bemis seconded the motion. All so voted.

## **OTHER BUSINESS:**

### **Minutes:**

Jamie Bemis moved to accept the January 3, 2007 minutes as written. Alexander Easterday seconded the motion. All so voted.

### **CCHS Playing Fields Discussion:**

Delia Kaye stated revised plans would be submitted next week.

### **Administrators Report:**

The Administrator's Report included the following discussion items:

Chamberlin Park: The Trustees of Donations approved the 2007 budget for Chamberlin Park.

13 Estabrook Road violation: An after-the-fact Notice of Intent will be filed for work that occurred without a permit.

40 Strawberry Hill Road: A site visit occurred with DEP to review the appeal.

Priority & Estimated Habitat Map Revisions

Chair Breakfast: Jamie Bemis provided an update.

Wetland Protection Bylaw

CPC: Alexander Easterday provided an update.

Trails Committee Discussion

Old Rifle Range dumping

Agricultural Leases

The meeting adjourned 9:20 p.m.

Respectfully submitted,

Delia Kaye, Natural Resources Administrator

Katherine Holden, Natural Resources Assistant Administrator